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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 KAREN HEAPS and JESSICA BIRK,
12 Plaintiffs,
13 vs.
14 BILL CLINTON, HILLARY CLINTON, and
15 G.W. BUSH,
16 Defendants.

CASE NO. 11-CV-1069-LAB-NLS
**ORDER GRANTING LEAVE TO
PROCEED *IN FORMA PAUPERIS*
AND DISMISSING CASE**

17 Heaps and Birk filed this case on May 16, 2011. Now pending is Heaps' Motion to
18 Proceed IFP.

19 **I. IFP Motion**

20 All parties instituting a civil action in a district court of the United States, except for
21 habeas petitioners, must pay a filing fee of \$350. See 28 U.S.C. § 1914(a). A party is
22 excused from paying the fee, however, if the Court grants leave to proceed IFP pursuant to
23 28 U.S.C. 1915(a). Heaps has submitted an IFP application that sufficiently demonstrates
24 her inability to pay the \$350 filing fee. She is unemployed, has \$1 in a checking account and
25 \$1 in a savings account, and owns no assets of value. Her IFP motion is **GRANTED**.

26 **II. Initial Screening**

27 Pursuant to 28 U.S.C. § 1915(e), the Court must screen each civil action commenced
28 pursuant to 28 U.S.C. § 1915(a) and dismiss the action if the Court finds it is frivolous or

1 malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief
2 from an immune defendant. 28 U.S.C. § 1915(e)(2)(B); *Calhoun v. Stahl*, 254 F.3d 845, 45
3 (9th Cir. 2001) (“[T]he provisions of 28 U.S.C. § 1915(e)(2)(B) are not limited to prisoners.”);
4 *Lopez v. Smith*, 203 F.3d 1122, 1126-27 (9th Cir. 2000) (en banc) (28 U.S.C. § 1915(e) “not
5 only permits but requires” the court to sua sponte dismiss an IFP complaint that fails to state
6 a claim).

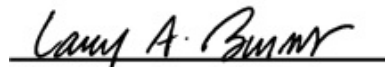
7 The Court finds that Heaps’ complaint is frivolous and fails to state a claim. She
8 names two past Presidents and the current Secretary of State as Defendants and appears
9 only to seek access to the Court’s law library. Pursuant to General Order 228-C, however,
10 the Court’s law library is not open to members of the public.

11 The library shall be open to members of the Bar admitted to
12 practice in the Southern District of California and Ninth Circuit,
13 United States Attorneys of the Circuit and Assistant United
14 States Attorneys, other attorneys of the government, federal
judicial officers, members of Congress, and the staff of
Congressional members and federal judicial officers.

15 This case is therefore **DISMISSED WITH PREJUDICE**.

16 **IT IS SO ORDERED.**

17 DATED: May 15, 2012

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20 **HONORABLE LARRY ALAN BURNS**
United States District Judge